

IOWA FINANCE AUTHORITY[265]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 17A.3(1)“b,” 16.5(1)“r” and 16.40, the Iowa Finance Authority proposes to amend Chapter 41, “Shelter Assistance Fund,” Iowa Administrative Code.

The purpose of these amendments is to revise rules relating to the administration of the Shelter Assistance Fund to conform the rules to recent changes in federal regulations.

The Authority does not intend to grant waivers under the provisions of these rules, other than as may be allowed under the Authority’s general rules concerning waivers.

The Authority will receive written comments on the proposed amendments until 4:30 p.m. on May 8, 2012. Comments may be addressed to Amber Lewis, Iowa Finance Authority, 2015 Grand Avenue, Des Moines, Iowa 50312. Comments may also be faxed to Amber Lewis at (515)725-4901 or E-mailed to amber.lewis@iowa.gov.

The Authority will hold a public hearing on the proposed amendments on May 8, 2012, at 1:30 p.m. in the presentation room of the Authority’s headquarters, located at 2015 Grand Avenue, Des Moines, Iowa.

The Authority anticipates that it may make changes to the proposed amendments based on comments received from the public.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 16.5 and 16.40.

The following amendments are proposed.

ITEM 1. Amend rule **265—41.2(16)**, definitions of “ESG program” and “Homeless,” as follows:

“*ESG program*” or “*ESGP*” means the Emergency ~~Shelter Grants~~ Solutions Grant Program created pursuant to Title 42 of the U.S. Code (42 U.S.C. Section 11375) as well as parts of Title 24 of the Code of Federal Regulations (24 CFR Part 576).

“*Homeless*” or “*homeless individual*” shall have the meaning set forth in ~~42 U.S.C. Section 11302~~ 24 CFR Part 91.

ITEM 2. Rescind the definition of “HUD ESG Desk Guide” in rule **265—41.2(16)**.

ITEM 3. Amend rule 265—41.6(16) as follows:

265—41.6(16) Application procedures. IFA will may issue requests for proposals from eligible applicants as often as the state expects funding from HUD for the ESG program. Requests for proposals will may combine the ESG program with the SAF program. The proposals must be submitted on the forms or on-line system prescribed by IFA and must, at a minimum, include the amount of funds requested, a description of the need for the funds, documentation of other available funding sources, the source of required local match for the ESG program, and the estimated number of persons to be served by the applicant. Maximum and minimum grant awards will be established by IFA for each competition.

ITEM 4. Amend rule 265—41.8(16) as follows:

265—41.8(16) Matching requirement. Subrecipients ~~are not~~ may be required to provide a match for SAF program funds. The rules of each competition will specify what, if any, match is required.

ITEM 5. Amend subrule 41.10(3) as follows:

41.10(3) Participation by homeless individuals and families. To the maximum extent possible, SAF program subrecipients must involve, through employment, volunteer services, or otherwise, homeless

individuals and families in constructing, renovating, maintaining, and operating facilities assisted with SAF funds, in providing services assisted with SAF funds, and in providing services for occupants of facilities assisted with SAF funds.

~~*a.*—SAF program recipients and subrecipients must certify that homeless individuals and families are involved, through employment, volunteer services, or otherwise, in constructing, renovating, maintaining, and operating assisted facilities and in providing services.~~

~~*b.*—Subrecipients must have the participation of at least one homeless person or formerly homeless person on their board of directors or equivalent policymaking entity. The Secretary of HUD may issue a waiver to the subrecipient if the subrecipient agrees to otherwise consult with homeless or formerly homeless individuals when making policy decisions.~~

ITEM 6. Amend paragraph **41.12(2)“a”** as follows:

a. Records for any assisted activity shall be retained for ~~three~~ five years after the end of the grant period and, if applicable, until audit procedures are completed and accepted by IFA.